

REMARKS

Support for the new claims 25-30 is found in the specification at the following locations:

Claim	Location	
	Paragraphs of Patent Publication 20010049592 of the captioned application	Page and line of captioned patent specification
25	0022	page 6 lines 19-21
26	0038	Example 4 Page 9 lines 24-26
27	0002	Page 1, lines 10-12
28	0015	Page 5, lines 16-21
29	0017	Page 6, lines 1-3
30	0017 & 0018	Page 6, lines 1-4

In the office action, claims 1- 24 were rejected under 35 U.S.C. 102(e) as being anticipated by the Schuller, et al published patent application U.S. 2001/0047250, hereinafter referred to as Schuller.

The rejections of all of claims 1-24 do not consider that the independent claims 1, 6, 17, and 18 all have two databases, one for the structural archetypes and one for the at least one color. The Schuller reference never teaches or suggests a plurality of databases and especially not one for structural archetypes and one for at least one colour. Therefore Claims 1-24 are novel and unobvious and patentable over the Schuller reference.

Additionally for Claim 15, Applicants' claimed feature of the selection of a color or colors from a database comprising colors stored on an electronic format on an storage means wherein the colors are grouped in colours either complementary or contrasting with one another is novel, unobvious and patentable.

It is respectfully submitted that paragraph 39 of the Schuller reference states:

“The color picker 618 displays small samples of the different colors that are available for an object and the displayed colors may differ depending on the particular object selected. For example, when a wall structural object 651 is selected, the color picker 618 may display all available paint colors, when a couch structural object 659 is selected, the color picker may display all available fabric colors and patterns.”

Hence, paragraph 39 does not teach or suggest having the database for the colors where the colors are arranged by anything other than **ALL**. There is no teaching or suggestion of a grouping by colours that are complementary or contrasting colors for selection of a color.

Also paragraph 9 of Schuller notes:

“The system can include automatic matching of a sample material to a decorative material in the database based on an input image of the sample material. The input image may be obtained using a digital image capture device such as a scanner, digital camera or video signal capture device and the matching decorative materials may be determined by comparing colors, patterns or other visual characteristics associated with the decorative materials and the input image. Identifiers of decorative material samples in a physical sample chart may be displayed to the user.”

This section of the Schuller reference is talking about automatic matching of a sample material to a decorative material so the comparison of the colors, patterns or other visual characteristic data is from the input image to the colors that are available in the database by the computer. This is not a teaching or suggestion of selecting a color or colors from a database by complementary or contrasting colors by a user as is claimed in claim 15. This is also the case for added claim 25.

Additionally, the disclosure of Schuller at Figure 6c, reference number 618, the color picker, does not distinguish how the colors are selected. There

is no suggestion of any grouping of colors by name or complementary or contrasting colors.

Therefore, it is respectfully submitted that claim 15 and added claim 25 are novel and unobvious over the teachings and suggestions of the Schuller reference.

In addition, the Schuller reference teaches away from any selection of colors by a color name or on a contrasting or complementary color basis at paragraph 40 where it notes the monitor, of a computer system, has limitations in the display of colors. Because of this, sample cards can be obtained to see the exact color. Also, the Schuller reference notes at paragraph 39 beginning at line 6 that for walls as a structural object, the color picker may display all available paint colors. This teaches away from displaying for selection of colors by color name or by complementary or contrasting colors. So it is respectfully submitted that Claim 15 and claims dependent therefrom are unobvious and patentable over the Schuller reference.

Additionally, the Schuller reference fails to teach or suggest a database of grouped colors by their red, green, blue properties as claimed in new claim 26. Additionally, the Schuller reference is deficient in teaching or suggesting a database for structural archetypes having external parts of buildings, motor vehicles, mobile home, or ships as claimed in new claim 27. Further, the Schuller reference fails to teach or suggest the exterior archetypes with the perspective as claimed in new claim 28. Also, the Schuller reference fails to teach or suggest either the exterior and interior archetype style or specific styles as claimed in new claims 29 and 30. Therefore it is respectfully submitted that new claims 26-30 are novel, unobvious, and patentable over the Schuller reference.

Also, applicants hereby acknowledge Brown, U.S. Patent 6,524,107 which was not relied upon for any rejection of the office action.

Based on the foregoing non-amending clarifications to the claims of the captioned patent application, reconsideration and allowance of Claims 1-24 as originally submitted and new claims 25-30 are respectfully submitted.

Respectfully submitted,

Date: May 11, 2005

Kenneth J. Stachel

Kenneth J. Stachel (Reg. No. 27,222)
Attorney for Applicant
The Glidden Company
15885 W. Sprague Road
Strongsville, Ohio 44136
Phone: (440) 297-8397
Fax: (440) 297-8935